

**TOWN OF DAVIE  
TOWN COUNCIL AGENDA REPORT**

**TO:** Mayor and Councilmembers

**FROM/PHONE:** David Quigley, Planning & Zoning Manager/(954) 797-1075

**PREPARED BY:** Lise Bazinet, Planner II

**SUBJECT:** Resolution

**AFFECTED DISTRICT:** District 2

**ITEM REQUEST:** **Schedule for Council Meeting**

**TITLE OF AGENDA ITEM:** PLAT - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A PLAT KNOWN AS THE “GRIFFIN ROAD CHARTER SCHOOL AND BUSINESS CENTER” AND AUTHORIZING THE MAYOR AND TOWN CLERK TO ACKNOWLEDGE THE APPROVAL BY AFFIXING THE MAYOR’S SIGNATURE AND THE TOWN SEAL TO SAID PLAT; AND PROVIDING AN EFFECTIVE DATE. (P 10-1-08, Griffin Road Charter School and Business Center, 8150-8180 Griffin Road) Planning & Zoning Board recommended approval subject to staff’s recommendations

**REPORT IN BRIEF:** The subject site consists of 9.28 net acres (404,390 sq. ft.). Parcel “A” is restricted to 56,810 square feet of charter school. Parcel “B” is restricted to 20,000 square feet of commercial use and 22,500 square feet of office use. The proposed plat provides four (4) vehicular accesses onto the subject site. The accesses from SW 82nd Avenue are through two openings at each end of the frontage. The accesses from Griffin Road are 50 and 52 feet, also at each end of the frontage, as shown on the plat.

Staff finds that the proposed “Griffin Road Charter School and Business Center” plat is in accordance with the Comprehensive Plan and Land Development Code as it relates to access, location, and size. The proposed plat is consistent with the Land Development Code as it relates to access, location, size, and use.

The petitioner provided a traffic analysis illustrating impacts to local roads at the Town Engineer's request. Based on this document, the Town Engineer recommended adding an exclusive right turn lane on the southbound approach of the intersection of SW 82nd Avenue and Stirling Road, to meet off-site improvement requirements.

**PREVIOUS ACTIONS:** N/A

**CONCURRENCES:** At the February 25, 2009 Planning & Zoning Board meeting, Chair McLaughlin (did not have the gavel) made a motion, seconded by Vice-Chair Stevens, to approve subject to staff's recommendations. In a roll call vote, the vote was as follows: Chair McLaughlin – yes; Vice-Chair Stevens – yes; Mr. Busey – no; Mr. DeArmas – no; Ms. Turin – yes. **(Motion carried 3-2)**

**FISCAL IMPACT:** not applicable

Has request been budgeted? n/a

**RECOMMENDATION(S):** Other - Staff finds the application complete and suitable for transmittal to the Town Council for further consideration subject to the following conditions:

- 1.Shall be subject to finding of adequacy determined by Broward County.
- 2.Provide the Planning and Zoning Division a Mylar copy of the plat upon recordation.
- 3.Developer shall add at their expenses an exclusive right turn lane at the southbound approach of SW 82nd Avenue at Stirling Road intersection.

**Attachment(s):**Resolution, Planning Report

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A PLAT KNOWN AS THE "GRIFFIN ROAD CHARTER SCHOOL AND BUSINESS CENTER" AND AUTHORIZING THE MAYOR AND TOWN CLERK TO ACKNOWLEDGE THE APPROVAL BY AFFIXING THE MAYOR'S SIGNATURE AND THE TOWN SEAL TO SAID PLAT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the proposed plat to be known as the "Griffin Road Charter School and Business Center" was considered by the Town of Davie Planning and Zoning Board on February 25, 2009.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA:

SECTION 1. The plat known as the "Griffin Road Charter School and Business Center" as is hereby approved subject to the planning report and conditions which are attached hereto as Exhibit "A" and made a part hereof.

SECTION 2. The Mayor is authorized to sign said plat on behalf of the Town and the Town Clerk is directed to affix the Town seal to said plat.

SECTION 3. Any improvements required to satisfy transit concurrency should be located within the Town of Davie.

SECTION 4. This Resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2009.

\_\_\_\_\_

\_\_\_\_\_

MAYOR/COUNCIL MEMBER

Attest:

\_\_\_\_\_  
TOWN CLERK

APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2009.

**Exhibit “A”**

**Application:** P 10-1-08/09-3/Griffin Road Charter School and Business Center

**Original Report Date:** 02/13/09

**Revision(s):** 02/26/09

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**TOWN OF DAVIE**

**Development Services Department**

**Planning & Zoning Division**

***Staff Report and Recommendation***

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**Applicant Information**

**Owner**

**Name:** Griffin Rd Holding, LLC/940 West 84<sup>th</sup> Street LLC & Shecky 48 Inc.

**Address:** 798 West 84<sup>th</sup> Street

**City:** Hialeah, Florida 33014

**Phone:** (305) 495-6888

**Petitioner**

**Name:** Alliance Companies

**Address:** 2977 MC Farlane, Suite 303

**City:** Coconut Grove, Florida 33133

**Phone:** (305) 500-9440

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**Background Information**

**Application Request:** Approval of the plat known as the “Griffin Road Charter School and Business Center”

**Address:** 8150-8180 Griffin Road

**Location:** Generally located on the southwest corner of Griffin Road and SW 82<sup>nd</sup> Avenue.

**Future Land**

**Use Plan Map:** Commercial

**Existing Zoning:** B-2, Community Business District

**Existing Use:** Commercial Buildings

**Parcel Size:** 9.28 net acres (404,390 sq. ft.)

**Proposed Use(s):** Charter School and Commercial Building

**Proposed Density:** n/a

**Surrounding Use(s):**

**North:** Griffin Road, Canal, Vacant Land

**South:** Canal and Parking area

**East:** Shopping Center

**West:** Mobil Home Park/ Library

**Land Use Designation(s):**

Commercial

Residential 5 DU/Acre

Commercial

Commercial

**Surrounding Zoning(s):**

**North:** B-2, Community Business District

**South:** RS, Recreation Open Space/B-3, Planned Business District

**East:** B-2, Community Business District

**West:** MH-5, Low-Medium Density Mobil Home District/ CF, Community Facility

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**Zoning History**

**Related zoning history:**

Records indicate that the existing Future Land Use Plan Map designation was in place at the time of annexation.

**Concurrent Request(s) on same property:**

*Site Plan Application (SP 10-3-08)*, the petitioner requests a site plan approval for a charter school and a commercial building.

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**Applicable Codes and Ordinances**

The effective Code of Ordinances governing this project is the Town of Davie Land Development Code.

*Land Development Code (Section 12-360(B)(1))* platting requirements.

*Land Development Code (Section 12-366.1 (A) thru (D))* submission requirements for plats.

*Land Development Code*, Article XII of the Land Development Code, Subdivisions and Site Plans.

*Land Development Code (Section 12-24 (J)(5))*, the B-2, Community Business District is intended to implement the commercial designation of the Town of Davie Comprehensive Plan by providing for a business area to service the shopping and limited service needs of several neighborhoods or the local community. Retail stores are intended to include convenience, fashion and durable goods.

*Land Development Code (Section 12-83)*, Conventional Nonresidential Development Standards, B-2, Community Business District, requires the following minimums: lot area of 52,500 square feet, frontage of 200 feet, minimum lot depth of 200 feet, twenty (20) feet on sides abutting residential zoned properties and twenty five (25) feet adjacent to

public or private rights-of-way, maximum building height of 35 feet, maximum building coverage 40%, minimum building separation 10 feet, and minimum open space 30%.

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## **Comprehensive Plan Considerations**

### **Planning Area:**

The subject property falls within Planning Area 10. Planning Area 10 is generally located north of Stirling Road, south of Griffin Road, east of Pine Island Road, and west of SW 76 Avenue. Pine Island Road, a major north/south arterial, on the western limits of this planning area provides through access from Griffin Road to Stirling Road. Commercial development of retail centers and office buildings line the University Drive corridor. The east side of this corridor is predominantly small-scale commercial development, with multi-family residential development (one existing, one proposed) and plant nurseries on the northern half of the corridor, and commerce park development and cattle grazing on commerce park-zoned lands on the southern half. Commercial development also exists along Griffin Road within this planning area. Several small-scale single-family residential communities, two trailer parks totaling approximately 30 acres in area, and an 8 acre industrial park are located within this planning area, together with six parcels zoned for community facilities uses. These include, but are not limited to, a regional library, multiple church uses varying scales, a Girl Scout campground facility, and a private school.

### **Broward County Land Use Plan:**

The subject site falls within Flexibility Zone 102.

### **Applicable Goals, Objectives & Policies:**

*Future Land Use Plan, Community Facilities Use, policy 13-2:* Community Facilities may be permitted in land use categories other than Community Facilities category, provided such development is compatible with and does not adversely affect the development of surrounding land for designated purposes.

*Future Land Use Plan, policy 5-2:* The (re)zoning, (re)platting, and site planning of land shall be in compliance with the density ranges shown on the Davie Future Land Use Plan map and the applicable Future Land Use Designation provisions as contained in the Permitted Use portion of the Implementation Section.

*Future Land Use Element, Land Use Compatibility and Community Appearance, Policy 17-1:* Lands designated for non-residential use shall be located in a manner, which facilitates development, but does not adversely impact existing and designated residential areas.

*Future Land Use Plan, Land Use Compatibility and Community Appearance, Policy 17-2:* No property within the Town shall be rezoned to a zoning district that is not in compliance with the Davie Future Land Use Plan.

*Future Land Use Plan, Land Use Compatibility and Community Appearance, Policy 17-3: Each development proposal shall be reviewed with respect to its compatibility with adjacent existing and planned uses.*

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### **Application Details**

1. *Site:* The subject site consists of 9.28 net acres (404,390 sq. ft.)
2. *Restrictive Note:* Parcel “A” is restricted to 56, 810 square feet of charter school. Parcel “B” is restricted to 20,000 square feet of commercial use and 22,500 square feet of office use.
3. *Access:* The proposed plat provides four (4) vehicular accesses onto the subject site. The accesses from SW 82<sup>nd</sup> Avenue are through two 60 foot openings at each end of the frontage. The accesses from Griffin Road are 50 and 52 feet, also at each end of the frontage, as shown on the plat.
4. *Trails:* The Linear Park Trail is located along Griffin Road right-of-way adjacent to the subject site. This trail will accommodate leisure activities to and from the subject site and will also provide access numerous Davie parks and other trails.
5. *Easements and Reservation:* The following easements are proposed by this plat:
  - a. 9.1 foot canal maintenance easement along the south boundary line.
6. *Dedications:* The following dedications are proposed by this plat:
  - a. Twenty (20) foot additional right-of-way along the west boundary line.
  - b. Twelve (12) foot additional right-of-way along the north boundary line.
7. *Drainage:* Approval from Central Broward Drainage District (CBWCD) shall be obtained prior to final Planning and Zoning Divisions signing off of site plans and the issuance of any site development permit.
8. *Compatibility:* The proposed plat can be considered compatible with the existing abutting properties. The proposed plat is consistent with the Land Development Code as it relates to access, location, size, and use.

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### **Significant Development Review Committee (DRC) Comments**

These following comments represent significant comments made by the Development Review Committee as part of the review process. All comments have been addressed unless otherwise indicated.

#### **Engineering Division:**

1. Provide traffic analysis to illustrate traffic impact to local roads. Traffic analysis was reviewed by the town traffic engineering consultants and generally acceptable. The intersection of SW 82<sup>nd</sup> Avenue and Stirling Road needs to be analyzed. Improvements to the intersection will be required as applicable at final engineering review. *We have reviewed the traffic impact study. The applicant has*



*satisfied all our review comments, and we are hereby accepting their report. Based on the traffic analysis, Alternate #2 is recommended for off-site improvements as a condition for approval:*

- *Add an exclusive right turn lane at the southbound approach of SW 82nd Avenue at Stirling Road intersection.*
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### **Staff Analysis**

The proposed “Griffin Road Charter School and Business Center” plat will accommodate a school and a commercial building on the subject site. The site was originally recorded according to “John W. Newman’s Survey”, as recorded in plat book 2, page 26, of Dade County Records, Florida. The proposed plat meets the intent of the B-2, Community Business District, the Comprehensive Plan, and the Future Land Use Plan Map designation of Commercial.

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### **Staff Findings of Fact**

Staff finds that the proposed “Griffin Road Charter School and Business Center” plat is in accordance with the Land Development Code as it relates to access, location, and size. The proposed plat can be considered compatible with the existing abutting properties.

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### **Staff Recommendation**

Staff finds the application complete and suitable for transmittal to the Planning and Zoning Board and Town Council for further consideration subject to the following condition:

1. Shall be subject to finding of adequacy determined by Broward County.
  2. Provide the Planning and Zoning Division a Mylar copy of the plat upon recordation.
  3. Developer shall add at their expenses an exclusive right turn lane at the southbound approach of SW 82nd Avenue at Stirling Road intersection.
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### **Planning and Zoning Board Recommendation**

At the February 25, 2009 Planning & Zoning Board meeting, Chair McLaughlin (did not have the gavel) made a motion, seconded by Vice-Chair Stevens, to approve subject to staff’s recommendations. In a roll call vote, the vote was as follows: Chair McLaughlin – yes; Vice-Chair Stevens – yes; Mr. Busey – no; Mr. DeArmas – no; Ms. Turin – yes. **(Motion carried 3-2)**

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### **Town Council Action**

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### **Exhibits**

1. Future Land Use Plan Map
  2. Zoning and Aerial Map
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Prepared by: \_\_\_\_\_  
Reviewed by: \_\_\_\_\_

*File Location: P&Z\Development Applications\Applications\P\_Plat\P\_08\P 10-1-08 Griffin Road Charter School and Business Center*

**Exhibit 1 (Future Land Use Plan Map)**

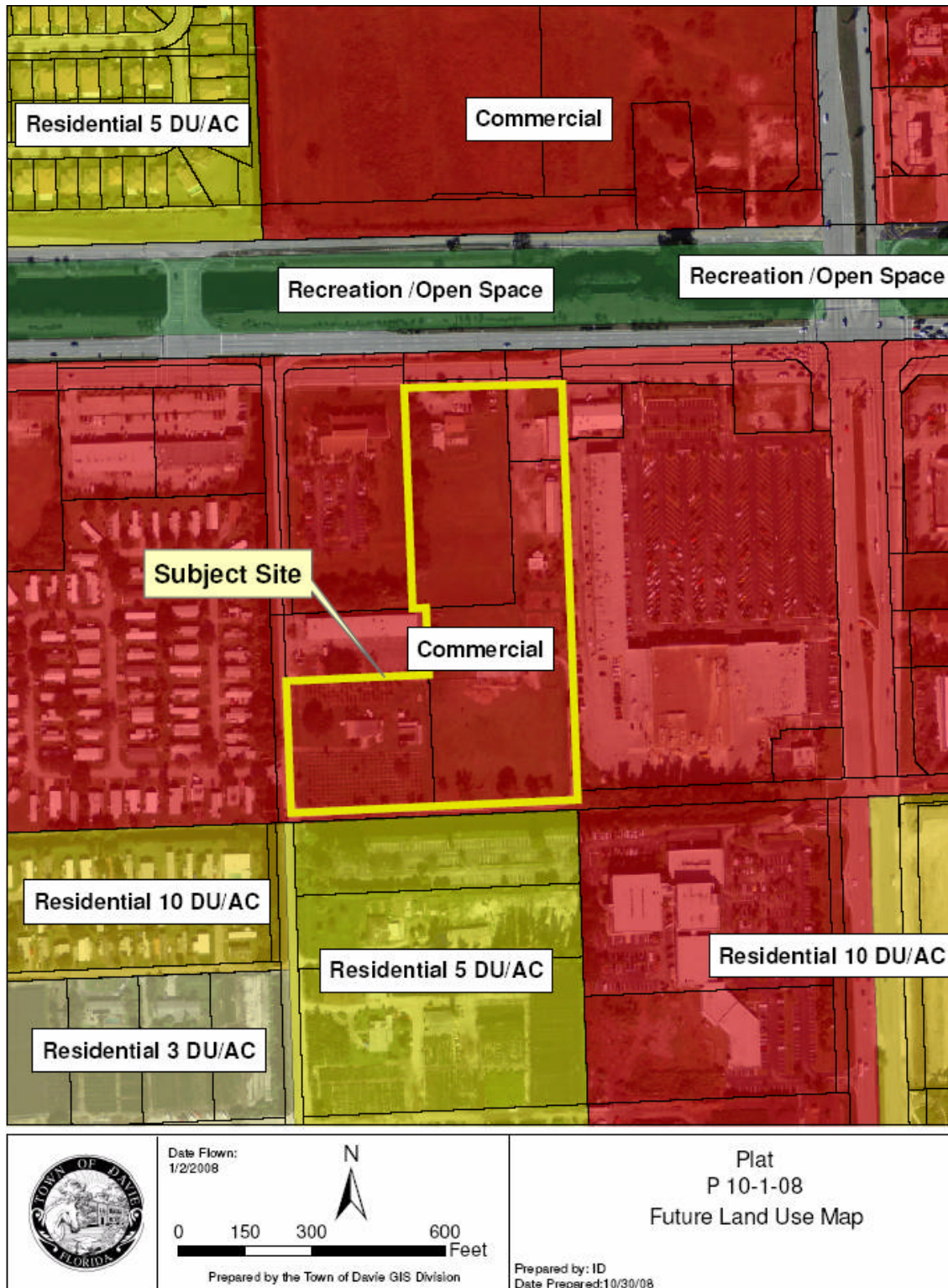




Exhibit 2 (Aerial, Zoning, and Subject Map)

